

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1217

AN ACT to amend the Indiana Code concerning environmental regulation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 14-8-2-199 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 199. **(a) "Permit", for purposes of IC 14-28-1-38, has the meaning set forth in IC 14-28-1-38(a).**

(b) "Permit", for purposes of IC 14-34, means a permit issued under IC 14-34 to conduct a surface coal mining and reclamation operation.

SECTION 2. IC 14-28-1-37 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 37. The department and the department of environmental management shall, not later than January 1, 2015, develop and implement a process to improve efficiency and transparency in programs for:**

- (1) water quality certifications from the department of environmental management under IC 13-13-5-1(1) and Section 401 of the federal Clean Water Act (33 U.S.C. 1341);**
- (2) permits from the department of environmental management for wetland activity in a state regulated wetland under IC 13-18-22; and**
- (3) permits from the director for a structure, obstruction, deposit, or excavation in a floodway under IC 14-28-1.**

SECTION 3. IC 14-28-1-38 IS ADDED TO THE INDIANA CODE

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AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 38. (a) As used in this section, "permit" means any of the following:**

- (1) A water quality certification from the department of environmental management under IC 13-13-5-1(1) and Section 401 of the federal Clean Water Act (33 U.S.C. 1341).**
- (2) A permit from the department of environmental management for wetland activity in a state regulated wetland under IC 13-18-22.**
- (3) A permit from the director for a structure, obstruction, deposit, or excavation in a floodway under IC 14-28-1.**

(b) In establishing the process required under section 37 of this chapter, the department and the department of environmental management shall do the following:

- (1) Determine:**
 - (A) how to inform a person who proposes to perform work for which a permit is required of the need to seek a permit for the work; and**
 - (B) how to ensure that a person proposing to perform work for which a permit is required is informed of every state permit the person needs in order to do the work.**

- (2) Change the:**
 - (A) application forms;**
 - (B) application processes; or**
 - (C) application forms and application processes;****used by the department and the department of environmental management for purposes of permits as necessary to ensure that a person proposing to perform work for which a permit is required is not required to provide the same information separately to the department and the department of environmental management.**

- (3) Determine how either the department or the department of environmental management may serve as the single point of contact, for purposes of:**

- (A) distributing and receiving permit applications;**
- (B) obtaining information needed to complete the processing of permit applications; and**
- (C) issuing permits;**

for an applicant who does not need to have independent contact with the department that is not serving as the single point of contact.

- (4) Create an internal process to ensure that the appropriate**



office within the department and the department of environmental management receives and timely reviews each permit application.

(5) Ensure that the processing of each permit application is monitored.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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